IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 27TH JUNE 2007 / 6TH ASHADHA 1929

Bail Appl..No. 3860 of 2007(B)

CRMP.1980/2007 of D.C. & SESSIONS COURT,KOLLAM
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PETITIONER/ACCUSED

DILEEP, S/O LATE THULASEEDHARAN PILLAI,
AGED 19, RESIDING AT ATTUMALA PUTHEN VEEDU,
H.S.WARD, NEAR T.B.JUNCTION, VALAKKODE PUNALUR.

BY ADV. SRI.RAJA VIJAYARAGHAVAN
SRI.R.RENJITH

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY ADV. SRI. S.U. NAZER, PUBLIC PROSECUTOR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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B.A.No. 3860 Of 2007

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Dated this the 27th day of June, 2007

ORDER

Application for regular bail. The petitioner, a 19 years old young person faces allegations under Section 302 IPC. The crux of the allegations against him is that on 29.4.07 he allegedly stabbed the deceased who succumbed to such injury suffered by him. Prior animosity arising out of the alleged illicit relation between the mother of the petitioner and the victim is the alleged motive. It is also the case of the prosecution that the petitioner had also suffered injuries in the course of the same incident. The FIR was registered. Investigation is in progress. According to the petitioner, he was not the aggressor; but only the victim of aggression. At any rate, this is a fit case where the petitioner deserves to be enlarged on bail at this stage, submits learned counsel for the petitioner.

2. The learned Public Prosecutor does not seriously oppose the said prayer; but submits that appropriate conditions may be imposed. The Investigating Officer may be granted reasonable further time to complete the investigation, it is further submitted.

3. Having considered all the relevant inputs, I am satisfied that the petitioner can be permitted to be released on bail subject to

appropriate conditions. In coming to this conclusion, I take note of the time required for the prosecution and nature of the submissions of the learned Public Prosecutor .

4. In the result this petition is allowed. The petitioner shall be released on bail on the following terms and conditions:-

i) The petitioner shall not be released on the strength of this order prior to 07.07.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

ii) The petitioner shall execute a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays until further orders or till the final report is filed, whichever is earlier;

iv) The petitioner shall not enter the jurisdiction of Kollam Police Station until further orders except for the purpose of complying with condition No.(iii).

(R.BASANT, JUDGE)

sj